

**Prosecution File History for U.S. Patent Number 5,569,082**

<b>Tab</b>	<b>Document</b>	<b>Date</b>
1.	PTO Inventory Sheets	
2.	U.S. Patent Application, Declaration and Power of Attorney, Statement Claiming Small Entity Status, and Figures	04/06/95
3.	Information Disclosure Statement	05/24/95
4.	Verified Statement Claiming Small Entity Status	09/18/95
5.	PTO Rejection Notice (Claims 1-21)	01/31/96
6.	Amendment (Claims 1, 5, 6, and 10-21)	03/29/96
7.	Examiner Interview Summary Record	02/28/96
8.	Examiner Interview Summary Record	05/30/96 06/03/96 & 06/04/96
9.	Amendment B	06/11/96
10.	Formal Drawings	06/27/96
11.	Notice of Change of Address	12/31/96
12.	PTO Utility Grant	10/29/96

IN001377

PTO UTILITY GRANT  
Paper Number 10

The Commissioner of Patents  
and Trademarks

*Has received an application for a patent for a  
new and useful invention. The title and de-  
scription of the invention are enclosed. The  
requirements of law have been complied with,  
and it has been determined that a patent on  
the invention shall be granted under the law.*

Therefore, this

United States Patent

*Grants to the person(s) having title to this  
patent the right to exclude others from mak-  
ing, using, offering for sale, or selling the in-  
vention throughout the United States of  
America or importing the invention into the  
United States of America for the term set forth  
below, subject to the payment of maintenance  
fees as provided by law.*


*If this application was filed prior to June 8,  
1995, the term of this patent is the longer of  
seventeen years from the date of grant of this  
patent or twenty years from the earliest effec-  
tive U.S. filing date of the application, sub-  
ject to any statutory extension.*

*If this application was filed on or after June  
8, 1995, the term of this patent is twenty years  
from the earliest effective U.S. filing date of  
the application, subject to any statutory ex-  
tension.*

*Bruce Lehman*  
Commissioner of Patents and Trademarks

*Melvinia Gary*  
Attest

The  
United  
States  
of  
America



Form PTO-1584 (Rev. 5/99)

(RIGHT INSIDE)

IN001378

PATENT APPLICATION FEE DETERMINATION RECORD Effective October 1, 1994					Application or Docket Number <b>408011</b>	
<b>CLAIMS AS FILED - PART I</b>						
(Column 1)		(Column 2)			(Column 3)	
FOR	NUMBER FILED	NUMBER EXTRA				
BASIC FEE	[REDACTED]					
TOTAL CLAIMS	21	minus 20 = 1				
INDEPENDENT CLAIMS	3	minus 3 = 0				
MULTIPLE DEPENDENT CLAIM PRESENT						
* If the difference in column 1 is less than zero, enter "0" in column 2						
<b>CLAIMS AS AMENDED - PART II</b>						
(Column 1)		(Column 2)			(Column 3)	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA	
	Total	*	Minus	**	=	
	Independent	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					
(Column 1)		(Column 2)			(Column 3)	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA	
	Total	*	Minus	**	=	
	Independent	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					
(Column 1)		(Column 2)			(Column 3)	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR			PRESENT EXTRA	
	Total	*	Minus	**	=	
	Independent	*	Minus	***	=	
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20." *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3." The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.						

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	FEE		RATE	FEE
[REDACTED]	365.00	OR	[REDACTED]	730.00
x\$11=	11	OR	x\$22=	
x38=		OR	x76=	
+120=		OR	+240=	
TOTAL	376	OR	TOTAL	

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x\$11=		OR	x\$22=	
x38=		OR	x76=	
+120=		OR	+240=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

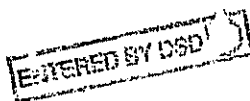
SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
x\$11=		OR	x\$22=	
x38=		OR	x76=	
+120=		OR	+240=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	

FORM PTO-675  
(Rev. 10/04)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

IN001379

KAYE-23,258



Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

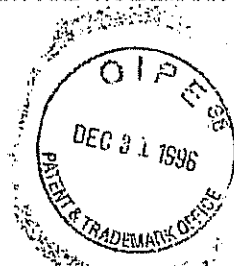
In re Patent No.: 5,569,082

Granted: October 29, 1996

Serial No.: 418,011

Filed: April 6, 1995

For: PERSONAL COMPUTER LOTTERY GAME



Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:



CHANGE OF ADDRESS

Effective immediately, kindly direct all papers pertaining to the above-captioned patent to the following address:

Martin Korn  
Gardere & Wynne, L.L.P.  
1601 Elm Street, Suite 3000  
Dallas, Texas 75201

and all telephone calls should be directed to Martin Korn at (214) 999-4664.

Respectfully submitted,

GARDERE & WYNNE, L.L.P.  
Attorneys for Applicant

By:

Martin Korn  
Registration No. 28,317

Date: December 30, 1996

GW04:247750

IN001380

#9  
OH

KAYE-23,258

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Perry Kaye  
Serial No.: 08/418,011  
Filed: April 6, 1995  
Notice of Allowance Mailed: June 11, 1996  
Issue Batch No.: A93  
Group: 3304  
Examiner: M. Sager  
For: PERSONAL COMPUTER LOTTERY GAME

OK

Assistant Commissioner  
for Patents  
Washington, D.C. 20231

ATTENTION: OFFICE OF PUBLICATIONS

Dear Sir:

TRANSMITTAL OF FORMAL DRAWINGS

Transmitted herewith are ten sheets of formal drawings to be substituted for the informal drawings initially filed in the above-identified application for patent.

Respectfully submitted,

ROSS, CLAPP, KORN & MONTGOMERY, L.L.P.  
Attorneys for Applicant

*Martin Korn*

Martin Korn  
Registration No. 28,317

MK/jbh  
Enclosures  
14651 Dallas Parkway, Suite 102  
Dallas, TX 75240-7477  
214/661-0102

June 26, 1996

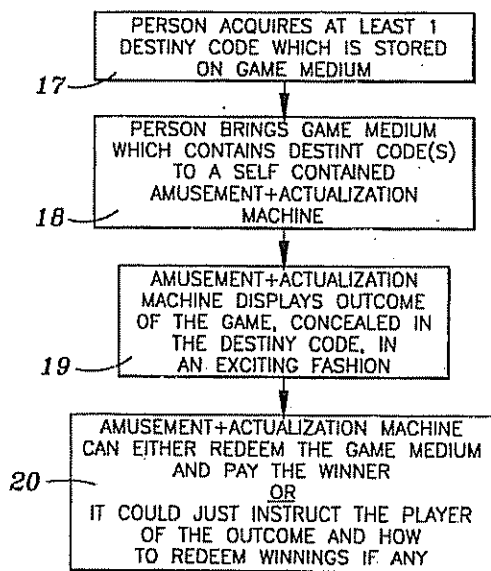
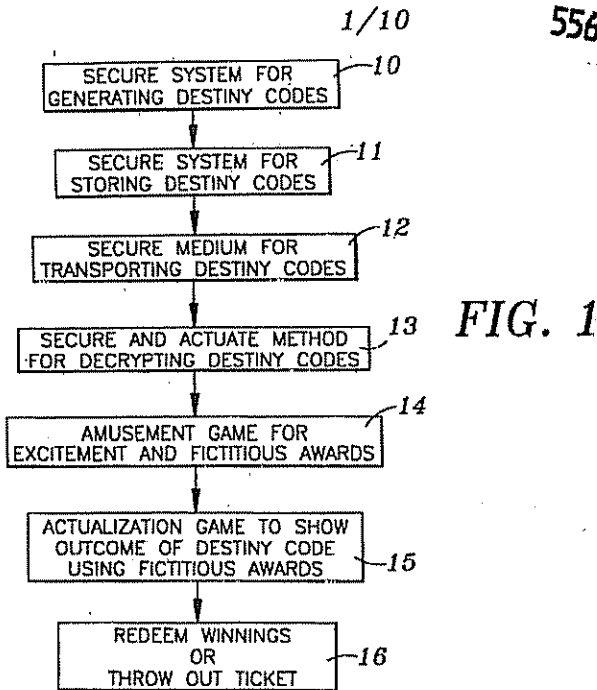
RECEIVED  
95 JUN 27 AM 9:25  
DRAWING PROCESSING BR.  
PUBLISHING DIVISION

IN001381

418011

5569082

APPROVED BY	D.G. FIG. 2	CLASS	SUBCLASS
DRAFTSMAN			



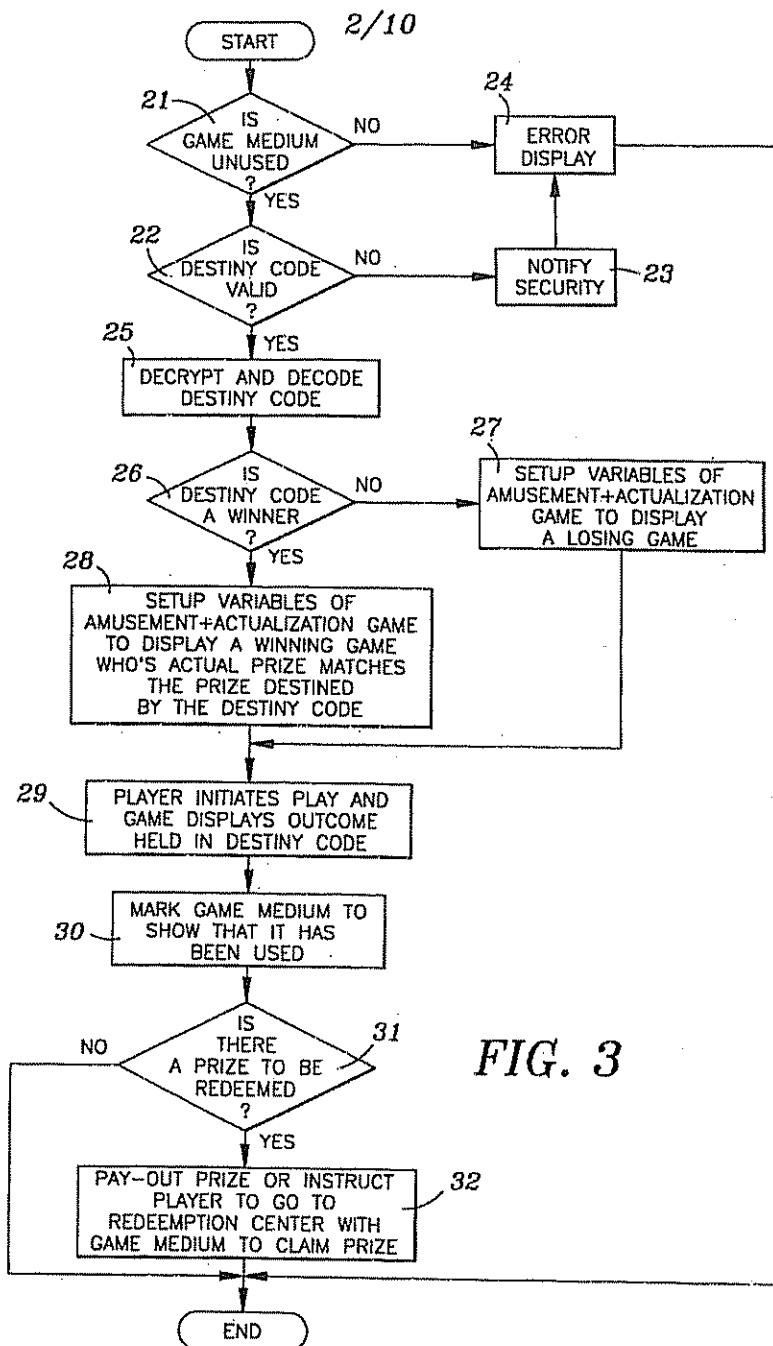
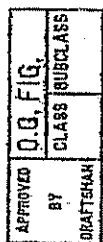
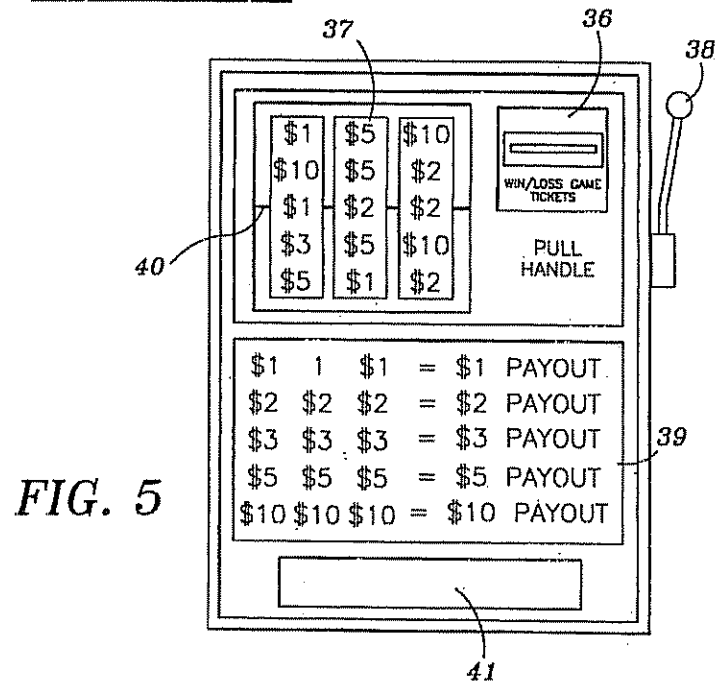
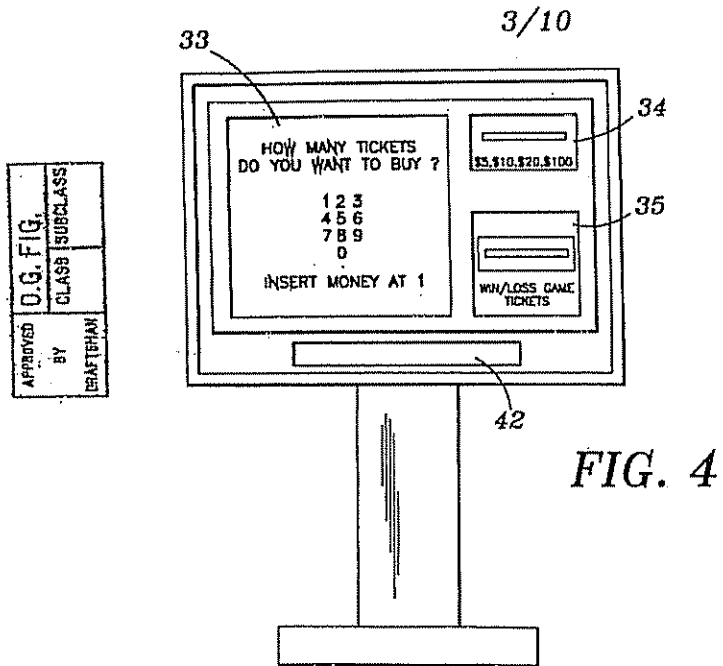
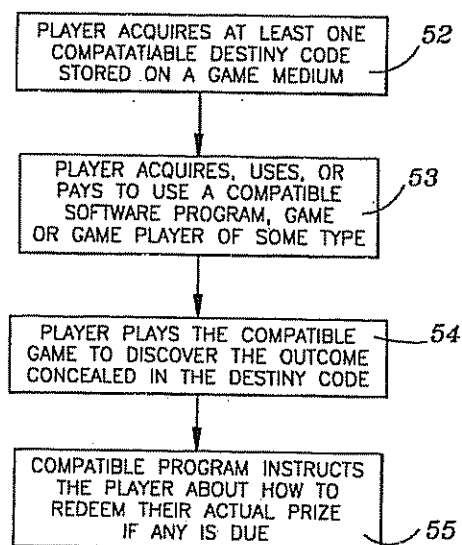
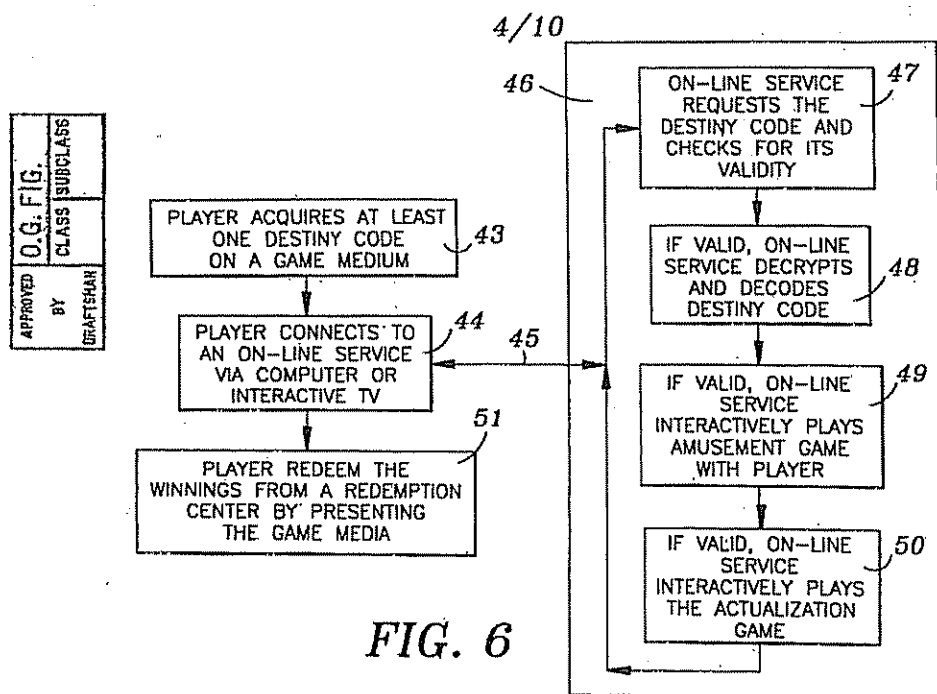


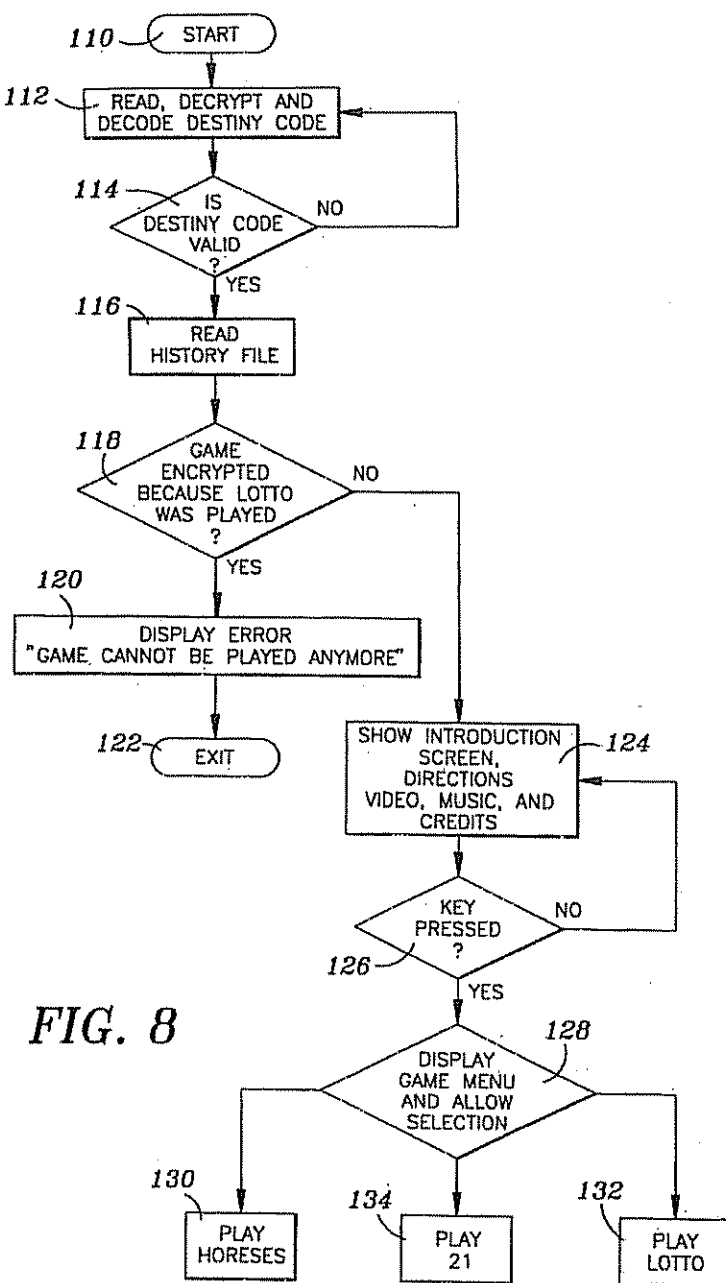
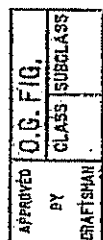
FIG. 3





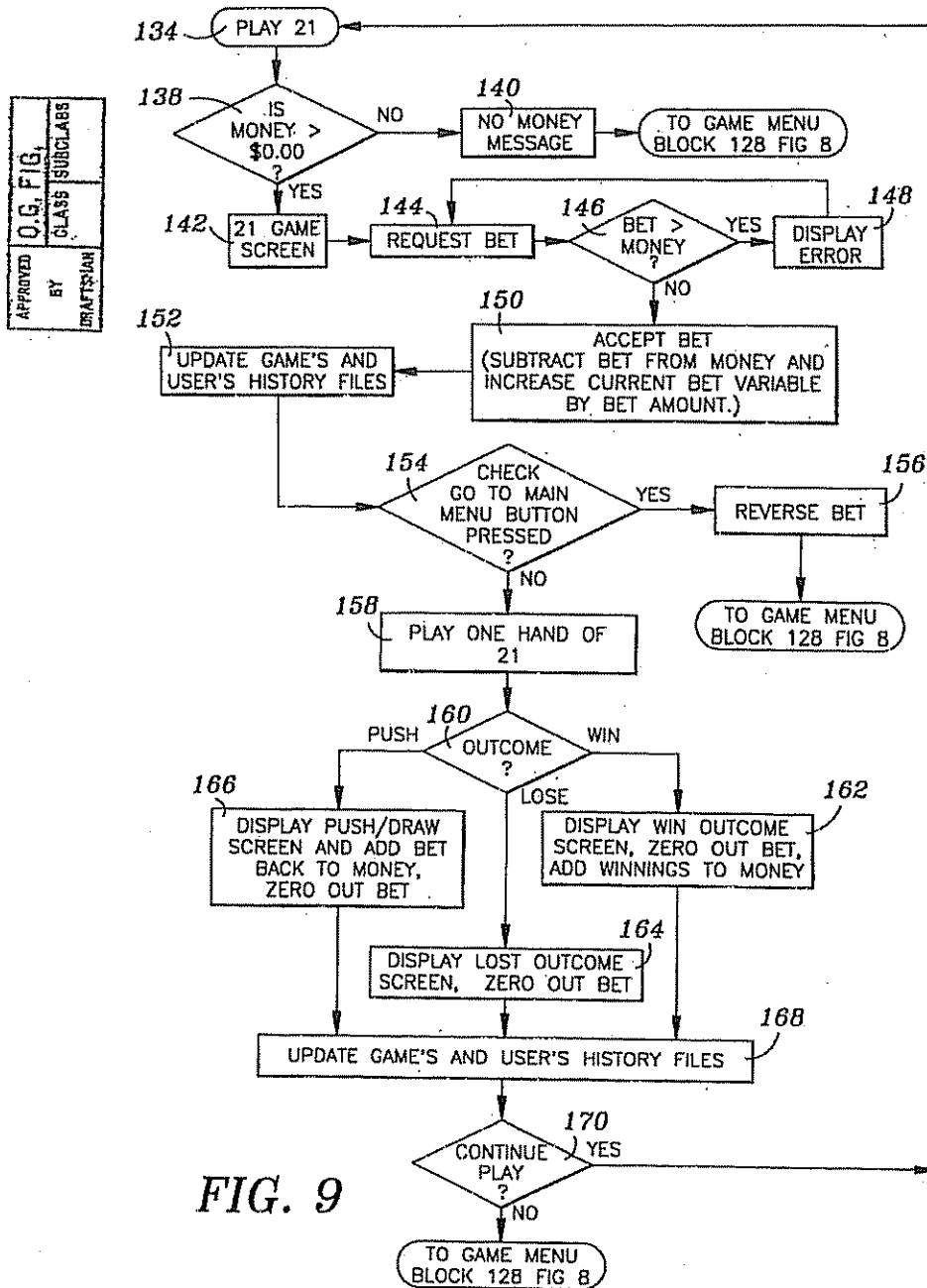


5/10



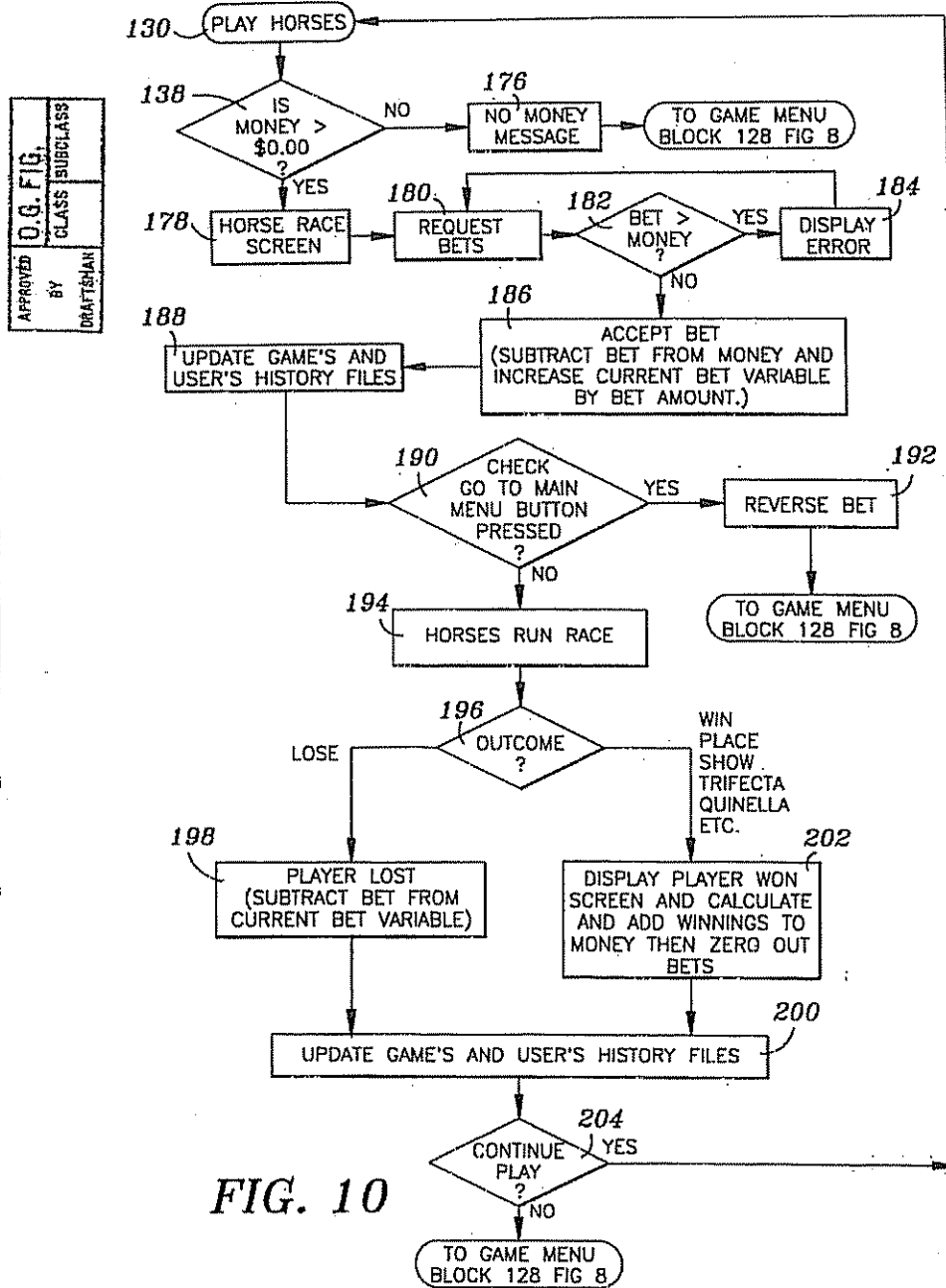
IN001386

6/10



IN001387

7/10



IN001388

APPROVED BY	O.G. FIG.
	CLASS SURCLASS
DEAFTEHAR	

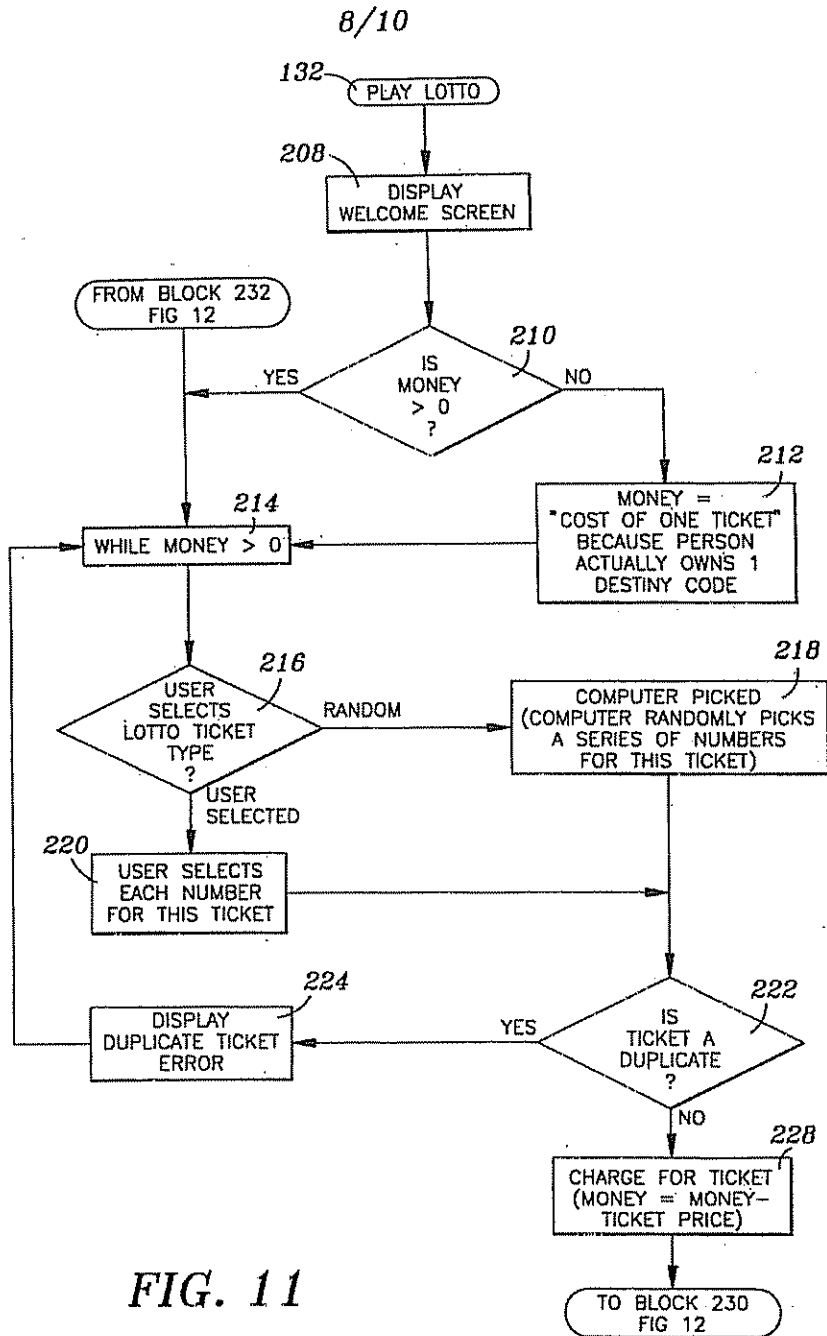
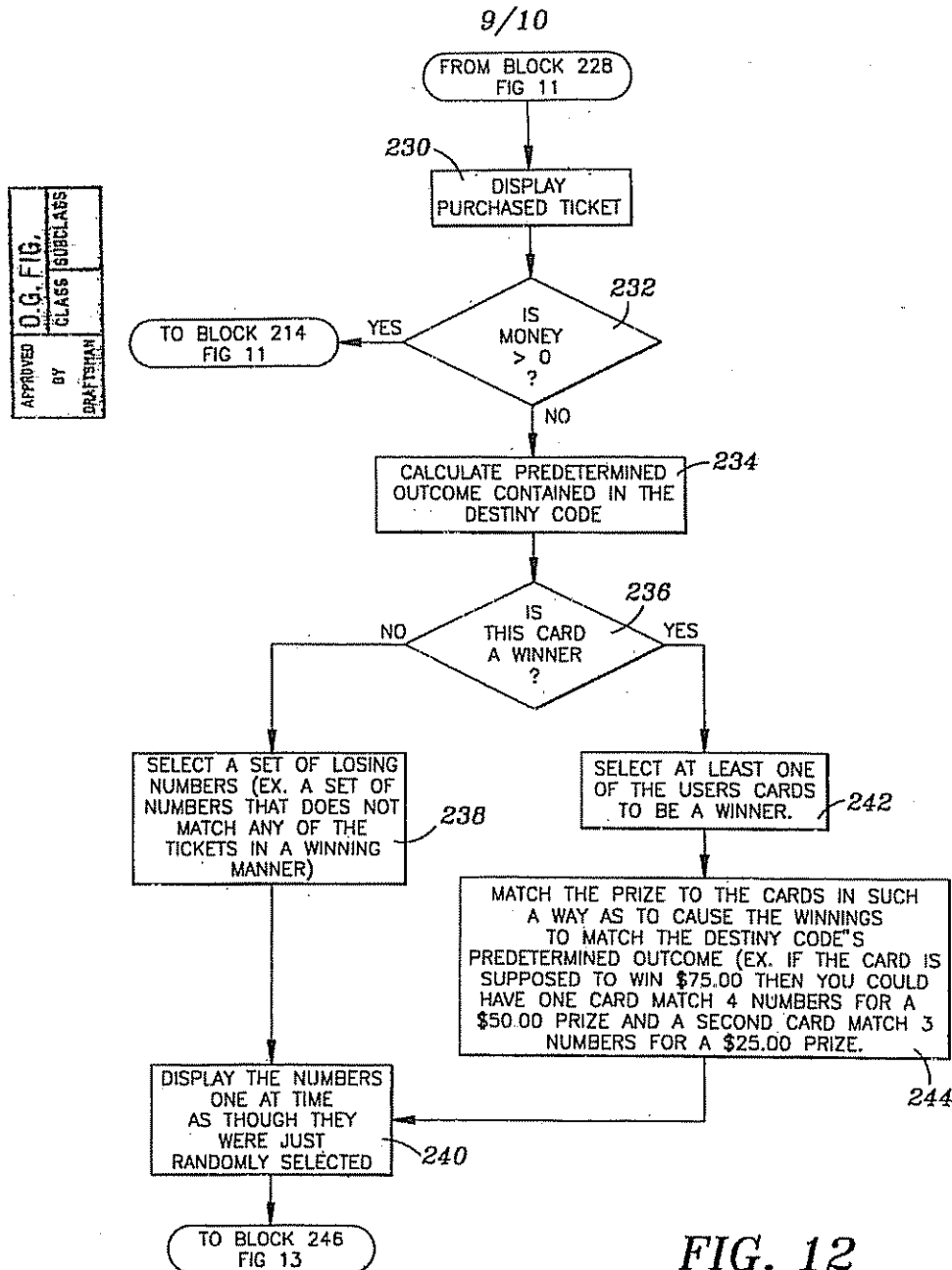


FIG. 11

IN001389



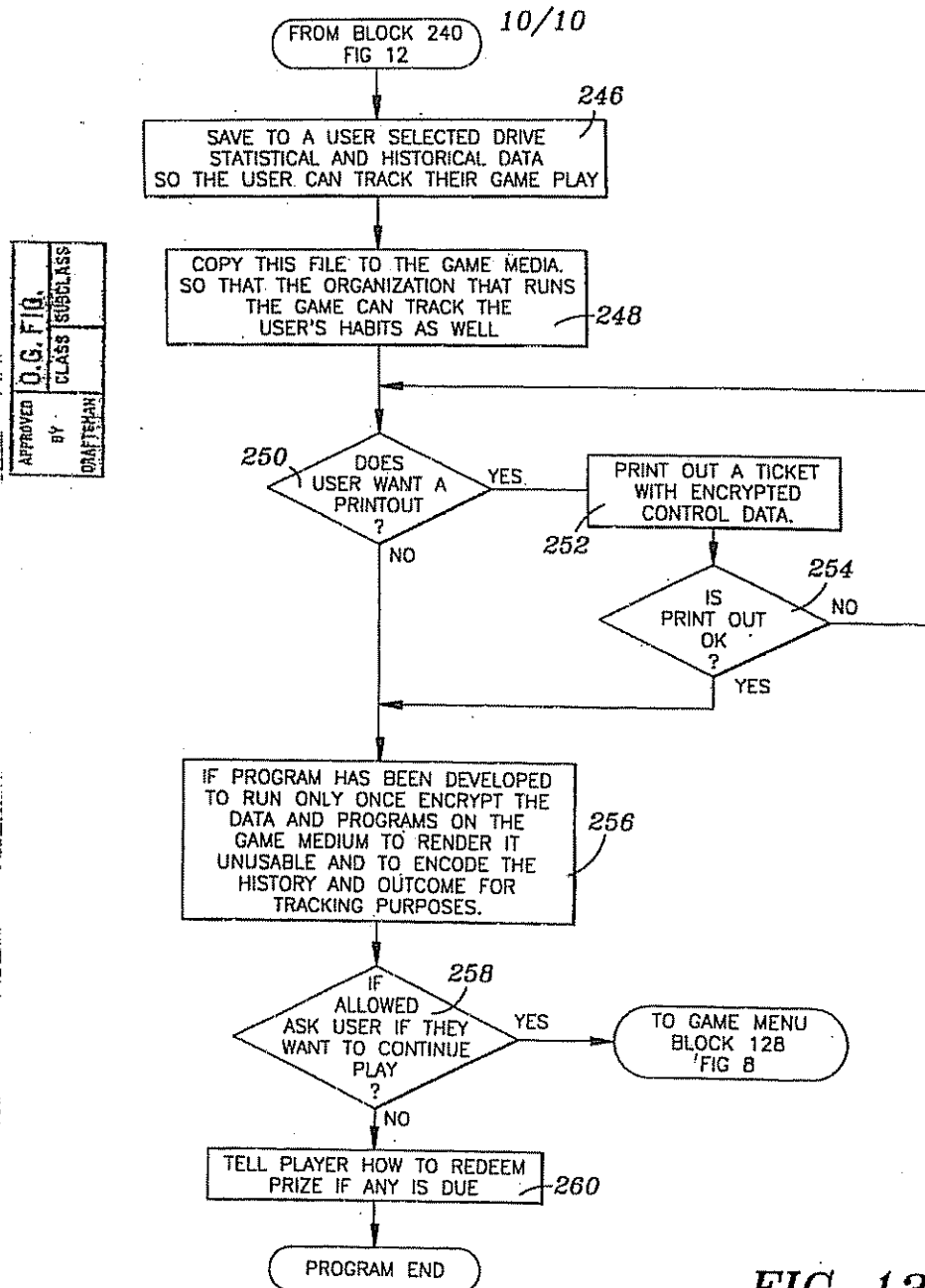


FIG. 13



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
---------------	-------------	-----------------------	---------------------

05/11/96 04/06/95 1712

05/11/96

EXAMINER

ROSS CLIFF PORN & MONTAGNE  
13501 LINDEN CIRCLE SUITE 100  
DALLAS TEXAS 75244-7477

ART UNIT PAPER NUMBER

0394

DATE MAILED: 05/11/96

### NOTICE OF ALLOWABILITY

#### PART I

1. ☒ This communication is responsive to Amendment filed March 29, 1996
2. ☒ All the claims being allowable; PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be sent in due course
3. ☒ The allowed claims are 1-17
4. ☐ The drawings filed on \_\_\_\_\_ are acceptable.
5. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received, ☐ not been received. ☐ been filed in parent application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_
6. ☒ Note the attached Examiner's Amendment
7. ☒ Note the attached Examiner Interview Summary Record, PTO-413.
8. ☒ Note the attached Examiner's Statement of Reasons for Allowance.
9. ☐ Note the attached NOTICE OF REFERENCES CITED, PTO-892.
10. ☐ Note the attached INFORMATION DISCLOSURE CITATION, PTO-1449.

#### PART II

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" indicated on this form. Failure to timely comply will result in the ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

1. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
2. ☒ APPLICANT MUST MAKE THE DRAWING CHANGES INDICATED BELOW IN THE MANNER SET FORTH ON THE REVERSE SIDE OF THIS PAPER.
  - a. ☒ Drawing informalities are indicated on the NOTICE RE PATENT DRAWINGS, PTO-948 attached hereto or to Paper No. \_\_\_\_\_ CORRECTION IS REQUIRED.
  - b. ☐ The proposed drawing correction filed on \_\_\_\_\_ has been approved by the examiner. CORRECTION IS REQUIRED.
  - c. ☐ Approved drawing corrections are described by the examiner in the attached EXAMINER'S AMENDMENT. CORRECTION IS REQUIRED.
  - d. ☒ Formal drawings are now REQUIRED.

Any response to this letter should include in the upper right hand corner, the following information from the NOTICE OF ALLOWANCE AND ISSUE FEE DUE: ISSUE BATCH NUMBER, DATE OF THE NOTICE OF ALLOWANCE, AND SERIAL NUMBER.

#### Attachments:

- ☒ Examiner's Amendment
- ☒ Examiner Interview Summary Record, PTO-413
- ☒ Reasons for Allowance
- ☐ Notice of References Cited, PTO-892
- ☐ Information Disclosure Citation, PTO-1449

- ☐ Notice of Informal Application, PTO-152
- ☐ Notice re Patent Drawings, PTO-948
- ☐ Listing of Bonded Draftsmen
- ☐ Other

PTOL-37 (REV. 4-89)

USCOMM-DC 83-3789

IN001392



Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 6  
Page 2

**EXAMINER'S AMENDMENT**

1. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

Authorization for this Examiner's Amendment was given in a telephone interview with Mr. Martin Korn (Re. 28,317) on June 4, 1996.

2. The application has been amended as follows:

Claim 1, line 1, replace "interactive" with --lottery--.

Claim 1, line 5, replace "a" with --the lottery game and an amusement--.

Claim 1, line 7, insert --s-- on "game" before "prior".

Claim 1, line 7, after "of the" insert --amusement--.

Claim 1, line 8, after "to" insert --amusement--.

Claim 1, line 9, before "game" insert --amusement--.

Claim 1, line 10, delete "interactive".

Claim 1, line 13, after "the" insert --amusement--.

Claim 1, line 15, before "game" insert --amusement--.

Claim 5, line 1, before "game" insert --amusement--.

Claim 6, line 1, before "game" insert --amusement--.

Claim 10, line 1, replace "An interactive" with --A lottery type--.

30

IN001393

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 6  
Page 3

Claim 10, line 4, after "the" insert --lottery game and an  
amusement--.

Claim 10, line 6, insert --s-- on "game".

Claim 10, line 7, after "the" insert --amusement--.

Claim 10, line 8, after "to" insert --amusement--.

Claim 10, line 10, after "the" insert --amusement--.

Claim 10, line 11, delete "interactive".

Claim 10, lines 11-12, delete ", the player controlling game play  
by inputting game parameters to said processor".

Claim 10, line 13, delete "being operable to".

Claim 10, line 14, replace "determine" with --determining--.

Claim 10, line 15, before "game" insert --amusement--.

Claim 10, line 16, before "game" insert --amusement--.

Claim 11, line 1, after "The" insert --lottery type--.

Claim 12, line 1, after "The" insert --lottery type--.

Claim 13, line 1, after "The" insert --lottery type--.

Claim 13, line 1, after "Claim" insert --10--.

Claim 14, line 1, after "The" insert --lottery type--.

Claim 14, line 1, after "said" insert --amusement--.

Claim 15, line 1, after "The" insert --lottery type--.

Claim 15, line 1, after "said" insert --amusement--.

Claim 16, line 1, after "The" insert --lottery type--.

Claim 17, line 1, after "The" insert --lottery type--.

31

IN001394


Serial Number: 08/418,011  
Art Unit: 3304


Paper No. 6  
Page 5

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. A. Sager whose telephone number is (703) 308-0785. The examiner can normally be reached on M-TH from 0700 to 1700.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Jessica Harrison, can be reached on (703) 308-2217. The fax phone number for Group 3300 is (703) 305-3590.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0858.

  
MAS  
June 4, 1996

  
SEBASTIANO PASSANITI  
PRIMARY EXAMINER  
GROUP 3300

IN001395



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: Box ISSUE FEE  
COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

ROSE CLARK WARD & MONTGOMERY LLP  
1000 DALLAS FREEWAY SUITE 100  
DALLAS TEXAS 75240-4177

NOTICE OF ALLOWANCE  
AND ISSUE FEE DUE

- ☐ No communication from the Examiner  
☐ This notice is issued in view of applicant's communication filed

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART UNIT	DATE MAILED
62/416,515	01/08/05	31	3117	05/01/06
Eliel Naimed Applicant				

TITLE OF INVENTION

PERSONAL COMMUNICATION SYSTEM

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPL. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
1000-23-000	142-011-000	000	UTILITY	YES	200.00	07/11/06

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

HOW TO RESPOND TO THIS NOTICE:

- I. Review the SMALL ENTITY Status shown above.  
If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

- A. If the status is changed, pay twice the amount of the FEE DUE shown above and notify the patent and Trademark Office of the change in status, or  
B. If the Status is the same, pay the FEE DUE shown above.

If the SMALL ENTITY is shown as NO:

- A. Pay FEE DUE shown above, or  
B. File verified statement of Small Entity Status before, or with, pay of 1/2 the FEE DUE shown above.

- II. Part B of this notice should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid by charge to deposit account, Part B should be completed and returned. If you are charging the ISSUE FEE to your deposit account, Part C of this notice should also be completed and returned.  
III. All communications regarding this application must give series code (or filing date), serial number and batch number. Please direct all communication prior to issuance to Box ISSUE FEE unless advised to contrary.

**IMPORTANT REMINDER:** Patents Issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B—ISSUE FEE TRANSMITTAL

**MAILING INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE. Blocks 2 through 6 should be completed where appropriate. All further correspondence including the Issue Fee Receipt, the Patent, advance orders and notification of maintenance fees will be mailed to addressee entered in Block 1 unless you direct otherwise, by: (a) specifying a new correspondence address in Block 3 below; or (b) providing the PTO with a separate "FEE ADDRESS" for maintenance fee notifications with the payment of Issue Fee or thereafter. See reverse for Certificate of Mailing.

1. CORRESPONDENCE ADDRESS		2. INVENTOR(S) ADDRESS CHANGE (Complete only if there is a change)	
ROSS, CLAPP, KORN & MONTGOMERY LLP 14051 DALLAS PARKWAY SUITE 100 DALLAS TEXAS 75240 7477		INVENTOR'S NAME	
		Street Address	
		City, State and ZIP Code	
		CO-INVENTOR'S NAME	
		Street Address	
		City, State and ZIP Code	
		<input type="checkbox"/> Check if additional change in name on record file	

SERIES CODE/SERIAL NO.	FILING DATE	TOTAL CLAIMS	EXAMINER AND GROUP ART. UNIT	DATE MAILED
03/11/96 013	04/06/96	013	0001	03/11/96
First Named Applicant: ROSS, CLAPP, KORN & MONTGOMERY LLP				

TITLE OF INVENTION  
PERSONAL COMPUTER LOTTERY GAME

ATTY'S DOCKET NO.	CLASS-SUBCLASS	BATCH NO.	APPL. TYPE	SMALL ENTITY	FEE DUE	DATE DUE
03/11/96 013	439-017 000	051	UTILITY	YES	625.00 CK	03/11/96

810 TL 03/09/96 00418011

1 625.00 CK  
1 242 625.00 CK  
1 551 30.00 CK

3. Correspondence address change (Complete only if there is a change)

4. For printing on the patent front page, list the names of not more than 3 registered patent attorneys or agents OR, alternatively, the name of a firm having as a member a registered attorney or agent. If no name is listed, no name will be printed.

ROSS, CLAPP, KORN & MONTGOMERY, L.L.P.

2. \_\_\_\_\_

3. \_\_\_\_\_

DO NOT USE THIS SPACE

5. ASSIGNMENT DATA TO BE PRINTED ON THE PATENT (print or type)

(1) NAME OF ASSIGNEE

(2) ADDRESS: (CITY & STATE OR COUNTRY)

☐ Assignment previously submitted to the Patent and Trademark Office.  
☐ Assignment is being submitted under separate cover. Assignments should be directed to Box ASSIGNMENTS.

PLEASE NOTE: Unless an assignee is identified in Block 5, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the PTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

6a. The following fees are enclosed:

☒ Issue Fee ☒ Advance Order - # of Copies 10

6b. The following fees should be charged to:

DEPOSIT ACCOUNT NUMBER: 18-2026

(ENCLOSE PART C)

☐ Advance Order - # of Copies

☐ Any Deficiencies in Enclosed Fees

The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee to the application identified above.

(Authorized Signature)

*Mark Korn*

(Date)

6/26/96

NOTE: The Issue Fee will not be accepted from anyone other than the applicant, registered attorney or agent, or the assignee or other party in interest as shown in the records of the Patent and Trademark Office.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	7

DATE MAILED:

## EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr Martin Korn (28,317) (3) Mr Perry Kaye (6/4/96 only)  
(2) Ex. Mark Sager (4)  

Date of interview 5/30/96 and 6/3/96 and 6/4/96Type: ☒ Telephone ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:  Agreement ☒ was reached with respect to some or all of the claims in question. ☐ was not reached.Claims discussed: 1-21Identification of prior art discussed: Clapper (5,377,975) and Koza (4,582,324)

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed and discussed  
claim language to overcome 112(2) issues and prior art and to further  
clarify/define novel and non-obvious features of instant invention.  
Agreement was reached to amend claims 1, 5-6, and 10-17 and to cancel  
claims 18-21.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

☒ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Mark Sager  
Examiner's Signature

PTOL-413 (REV. 1-04)

ORIGINAL FOR INSERTION IN RIGHT HAND FLAP OF FILE WRAPPER

IN001398



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
	456

DATE MAILED:

## EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

(1) Mr. Martin Korn (re 28,317) (3) \_\_\_\_\_(2) Ex Mark Sager (4) \_\_\_\_\_Date of Interview Feb 28, 1996Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative)Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description: \_\_\_\_\_Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.Claims discussed: 1-21Identification of prior art discussed: N/ADescription of the general nature of what was agreed to if an agreement was reached, or any other comments: Discussion of

35 USC 112, and paragraph rejections in First Official Action.  
The examiner recognized that some of the 112 rejections may  
be incorrect or inappropriate. Agreed to review response upon  
receipt.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

Unless the paragraphs below have been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., Items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

☐ Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action.

Mark Sager  
Examiner's Signature

PTOL-413 (REV. 1-84)

ORIGINAL FOR INSERTION IN RIGHT HAND FLAP OF FILE WRAPPER

IN001399



KAYE-23,258

fee  
0.10

E. Chan 354  
4-9-96

S/O

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Perry Kaye  
Serial No.: 08/418,011  
Filed: April 6, 1995  
Group: 3304  
Examiner: M. Sager  
For: PERSONAL COMPUTER  
LOTTERY GAME

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to Assistant Commissioner for Patents, Washington, DC 20231 on

MARCH 25, 1996  
(Date of Deposit)

MARTIN KORN  
(Title of Person Making Document)  
Martin Korn  
(Signature)  
MARCH 25, 1996  
(Date of Signature)

BOX NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

RECEIVED  
APR 08 1996  
GROUP 3300

AMENDMENT

In response to the Office Action mailed January 31, 1996, please amend  
the above-identified application as follows:

IN THE CLAIMS

Please amend Claims 1, 5, 6, and 10-21 as follows:

A

IN001400



2

B

1. (Amended) A method for playing a player <sup>lottery</sup> ~~interactive~~ [lottery type] game comprising the steps of:

acquiring by [the] a player a gaming piece, the gaming piece including a [predetermined] code which includes data indicating whether the player wins or loses [the] a game, the data being unrecognizable to the player, such that the player does not know [the outcome of] <sup>game</sup> ~~whether the player will win or lose~~ the game prior to play of the game;

entering the code by the player into a processor <sup>amusement</sup> ~~prior to game play~~;

the processor [presenting a] <sup>amusement</sup> ~~generating the game~~ [of chance to the player] on a display for ~~interactive~~ play by the player, the player controlling game play by inputting game parameters to the processor;

[controlling by] the processor <sup>amusement</sup> ~~controlling whether the player will win or lose the game~~ [the outcome of the game of chance played by the player] based upon the code entered by the player; and

providing on a display an indication to the player of [a] <sup>amusement</sup> ~~the game win or~~ [a game] loss based upon the code.

B

5. (Amended) The method of Claim 1 wherein the <sup>amusement</sup> ~~game~~ [of chance] includes a horse race.

A2 B

6. (Amended) The method of Claim 1 wherein the <sup>amusement</sup> ~~game~~ [of chance] includes a card game.

27

3

10. (Amended) [A system for playing a player] <sup>A lottery type</sup> ~~an interactive lottery~~ type] game comprising:

a gaming piece, said gaming piece including a [predetermined] code which includes data indicating whether [the] a player wins or loses the game, said data being unrecognizable to the player, such that the player does not know [the outcome of] <sup>amusement</sup> ~~whether the player will win or lose the game~~ prior to play of the game;

a processor for receiving said code <sup>amusement</sup> ~~input by the player prior to game~~ play;

said processor [presenting a game of chance to the player] <sup>amusement</sup> ~~generating the~~ game on a display for interactive play by the player, the player controlling game play by inputting game parameters to said processor;

said processor being <sup>determining</sup> ~~operable to~~ [control the outcome of the game of change played by the player] ~~determine whether the player will win or lose the~~ <sup>amusement</sup> ~~game~~ based upon said code; and

a display for providing an indication to the player of [a] <sup>amusement</sup> ~~the game win or~~ [a game] loss based upon said code.

11. (Amended) The <sup>lottery type</sup> ~~[system] game~~ of Claim 10 wherein said gaming piece includes magnetic media for storing said code.

12. (Amended) The <sup>lottery type</sup> ~~[system] game~~ of Claim 10 wherein said gaming piece includes laser optical media for storing said code.

13. (Amended) The <sup>lottery type</sup> ~~[system] game~~ of Claim 10 wherein said gaming piece includes a paper media for storing said code.

28

B 14. (Amended) The <sup>lottery type</sup> [system] <sup>amusement</sup> game of Claim 10 wherein said game [of chance] includes a horse race.

B 15. (Amended) The <sup>lottery type</sup> [system] <sup>amusement</sup> game of Claim 10 wherein said game [of chance] includes a card game.

A3 B 16. (Amended) The <sup>lottery type</sup> [system] game of Claim 10 wherein said processor includes a computing device.

Cont B 17. (Amended) The <sup>lottery type</sup> [system] game of Claim 10 wherein said processor includes a processor within an on-line subscription service.

---

29

5

18. (Amended) A [system for playing a lottery game] game comprising:  
 a gaming piece, said gaming piece including a [predetermined] code  
 which includes data indicating whether [the] a player wins or loses the game,  
 [the] said data being unrecognizable to the player, such that the player does  
 5 not know [the outcome of] whether the player will win or lose the game prior  
 to play of the game;  
 a processor for receiving said code input by the player prior to game  
play;  
 said processor being operable to [control the outcome of] determine  
 10 whether the player will win or lose the game based upon said code; and  
 a display for providing an indication to the player of [a] the game win or  
 [a game] loss based upon said code.

19. (Amended) The [system] game of Claim 18 wherein said gaming  
 piece includes magnetic media for storing said code.

20. (Amended) The [system] game of Claim 18 wherein said gaming  
 piece includes laser optical media for storing said code.

21. (Amended) The [system] game of Claim 18 wherein said gaming  
 piece includes a paper media for storing said code.

#### REMARKS

This application has been carefully reviewed in light of the Office Action  
 mailed January 31, 1996 and the telephone conversation with Examiner Sager  
 on February 28, 1996. Claims 1, 5, 6, and 10-21 have been amended.

IN001404

6

Reconsideration and favorable action in this application is respectfully requested.

Claims 1-21 have been rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 5, 6, and 10-21 have been amended to more clearly define the present invention, and it is respectfully submitted that Claims 1-21 are now in full compliance with 35 U.S.C. § 112, and are in condition for allowance.

Independent Claims 1 and 10 have been rejected under 35 U.S.C. § 103 as being unpatentable over Clapper, Jr. in combination with Koza and Heidel. Independent Claim 18 has been rejected under 35 U.S.C. § 102 as being anticipated by Clapper, Jr. Claims 1, 10, and 18 have been amended to more clearly define the present invention, and it is respectfully submitted that these claims are now in condition for allowance.

The present invention relates to a game and method in which a player acquires a gaming piece, such as for example, a ticket. The ticket includes encoded data or a code, unrecognizable to the player. The code determines whether the player will win or lose the game. The data is input by the player into a game processor which in turn generates an interactive game for play by the player. The actual play of the game by the player does not control whether the player will win or lose the game, since the outcome of the game is predetermined by the code on the gaming ticket. The processor manipulates the game in accordance with the code entered by the player prior to game play. In Applicant's game and method, the ticket can be obtained by a game player, and later used to play the game. The tickets have a "portability" feature in that play of the game is not dependent upon the time of acquisition of the ticket by a game player. The code encoded on the ticket is required to be input into the gaming processor by the game player prior to game play. The processor

IN001405

does not independently or randomly determine the outcome of the game, as this outcome is determined by the code input by the game player.

None of the cited references disclose or suggest a game or method of playing a game in which a code entered by the player prior to game play controls the outcome, win or loss, of the game. The Clapper, Jr. reference discloses the use of a bar code which merely identifies indicia printed on a strip. The bar code is used to display the strip indicia to a game player. The printed indicia on the strip determines whether the player wins or loses the game, and not the code. The bar code of the Clapper, Jr. reference is not entered by the player into a processor, nor is the bar code contained on a gaming piece required by a game player. The Clapper, Jr. game requires the ticket be stored in a gaming machine, which ticket is not independent of the gaming machine. In summary, the Clapper, Jr. reference use of a code is only to automate the display of the indicia printed on the ticket, which code does not control game win or loss. It is the indicia on the ticket which controls game win or loss, and not the code.

As acknowledged by the Examiner in paragraph 5 of the Office Action, Clapper, Jr. does not disclose the step or function of entering the code by the player into a processor, the processor presenting a game to the player on a display for interactive play by the player, or the player controlling game play by inputting game parameters entered by the player. It is therefore respectfully submitted that Claim 1 is clearly distinguishable over the Clapper, Jr. reference taken individually or in combination with Koza and Heidel.

Reference to Koza and Heidel does not cure the above noted deficiencies in Clapper, Jr. Koza does not disclose or suggest a game in which a player acquires a code on a gaming piece, and in which the code is input by the player. The Koza system does not utilize preprinted tickets as previously

8

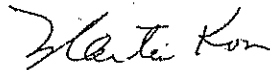
discussed with reference to Clapper, Jr. The Heidel reference merely discloses a blackjack game, and does not disclose or suggest the use of a player input code which controls the game outcome. It is therefore respectfully submitted that Claims 1, 10, and 18 clearly distinguish over the Clapper, Jr., Koza, and Heidel references taken individually or in combination, and the withdrawal of the rejection under 35 U.S.C. § 103 is respectfully requested.

Claims 2-9 depending from Claim 1; Claims 11-17 depending from Claim 10; and Claims 19-21, depending from Claim 18, further define the present invention, and it is respectfully submitted that these claims are also in condition for allowance.

For the foregoing reasons, full allowance of Claims 1-21 pending in this application is respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is respectfully requested to telephone the undersigned.

Respectfully submitted,

ROSS, CLAPP, KORN & MONTGOMERY, L.L.P.  
Attorneys for Applicant



Martin Korn  
Registration No. 28,317

MR/jbh

14651 Dallas Parkway, Suite 102  
Dallas, TX 75240-7477

214/661-0102  
214/661-0675 (Fax)

March 25, 1996

IN001407



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

08/418,011 04/06/95 KAYE

F KAYE-23,258

EXAMINER

SEGER, M

ART UNIT

PAPER NUMBER

FORM 1/9131  
ROSS CLAPP KORN & MONTGOMERY LLP  
14601 DALLAS PARKWAY SUITE 102  
DALLAS TEXAS 75240-7477

30004

DATE MAILED:

01/31/96

This is a communication from the examiner in charge of your application,  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on \_\_\_\_\_ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892. 2 pages
2. ☐ Notice of Draftsman's Patent Drawing Review, PTO-948.
3. ☒ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ \_\_\_\_\_

Part II SUMMARY OF ACTION

1. ☒ Claims 1-21 are pending in the application.  
Of the above, claims \_\_\_\_\_ are withdrawn from consideration.
2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 1-21 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 219.
14. ☐ Other

1/4/96 -mal  
PTOL 328 (Rev. 2/83)

EXAMINER'S ACTION

IN001408



Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 2

Part III DETAILED ACTION

*Claim Rejections - 35 USC § 112*

1. Claims 1-21 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1-21 are replete with indefiniteness for not clearly claiming the subject. Specifically, claim terminology such as "the subject" is indefinite for not clearly claiming the subject. Some examples (which is not an exhaustive listing of all indefinite phrases) are cited next. Regarding claims 1-21, the phrases "the steps", "the player", "the data", "the gaming piece", "the game", "the processor", "the outcome", "the code", "the method", and "the system" are indefinite for not clearly claiming the subject. The examiner also suggests to the Applicant that the phrase "the game" is not clearly linked to a "lottery type game".

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 18 and 20-21 are rejected under 35 U.S.C. § 102(a) as being anticipated by Clapper, Jr ('975). Clapper discloses a system for playing a lottery game (pull-tab) comprising a "game piece" (Fig. 5) "including a predetermined code which includes data indicating whether the player wins or loses the game; the data being unrecognizable to the player, such that the player does not know the outcome of the game prior to play of the game;

IN001409

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 3

a processor for receiving said code; said processor being operable to control the outcome of the game based upon said code; and a display for providing an indication to the player of a game win or a game loss based upon said code" (Fig. 1, ref. 14, Fig. 5, ref. 56, column 5, lines 42-49, column 7, lines 31-54 and column 8, lines 17-24 and 37-42) (claim 18), "said gaming piece includes laser optical media for storing said code" (Fig. 5, ref. 56, column 7, lines 19-30) (claim 20), "said gaming piece includes a paper media for storing said code" (Fig. 5) (claim 21).

*Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

5. Claims 1, 3-4, 6, 8, 10, 12-13, and 15-16 are rejected under 35 U.S.C. § 103 as being unpatentable over Clapper, Jr. ('975) in combination with Koza ('324) and Heidel. Clapper discloses the

IN001410

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 4

features of the instant invention per se except "entering the code by the player into a processor" (claim 1), "the processor presenting a game of chance to the player on a display for interactive play by the player, the player controlling game play by inputting game parameters to the processor" (claims 1 and 10), and "entered by the player" (claim 1), "game of chance includes a card game" (claims 6 and 15).

Regarding "entering the code by the player into a processor" (claim 1) and "entered by the player" (claim 1), Clapper discloses the code being scanned automatically in order to automate the process of the processor reading and interpreting the code for display (column 7, lines 19-33, and column 8, lines 48-52). It is known in the art that automated processes may be accomplished manually. It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the "entering the code by the player into a processor" into Clapper's method in order for a player to scan the barcode manually into Clapper's processor.

Regarding claims 1 and 10, Koza discloses "the processor presenting a game" "to the player on a display for interactive play by the player, the player controlling game play by inputting game parameters to the processor" (Figs. 1-6, column 2, lines 37-452, column 3, lines 10-68, column 4, lines 1-60, column 5, lines 17-20, 39-68), but does not disclose the video game being played being a game "of chance". While further regarding claims 1 and

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 5

10 and regarding claims 6 and 15, Heidel discloses a video lottery terminal which permits games of chance such as blackjack to be played (Figs. 1, 2a-2d). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the playing games "of chance" as taught by Heidel with Koza's system in order to add to the excitement of playing a video game by playing a game of chance such as a card game of video poker. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine "the processor presenting a game of chance to the player on a display for interactive play by the player, the player controlling game play by inputting game parameters to the processor" as taught by Koza in the combination with Heidel with Clapper's apparatus in order to increase the excitement of playing a lottery game by providing the player with the "amusement and entertainment of a video game while at the same time playing the lottery thus having the opportunity to win a lottery prize" (Koza, column 2, lines 37-40).

6. Claim 19 is rejected under 35 U.S.C. § 103 as being unpatentable over Clapper, Jr in combination with Bergeron ('666). Clapper discloses the features of the instant invention per se except "includes magnetic media for storing said code". Bergeron discloses a system using magnetic media for storing data (Fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made for the game pieces in

IN001412

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 6

Clapper's method to be combined with "includes magnetic media for storing said code" as taught by Bergeron.

7. Claims 2 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over Clapper, Jr. ('975) in combination with Koza ('324) and Heidel as applied to claims 1 and 10 above, respectively, and further in view of Bergeron ('666). Clapper in combination with Koza ('324) and Heidel discloses the features of the instant invention per se except "includes magnetic media for storing said code". Bergeron discloses a system using magnetic media for storing data (Fig. 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made for the game pieces in Clapper's method to be combined with "includes magnetic media for storing said code" as taught by Bergeron.

8. Claims 5 and 14 are rejected under 35 U.S.C. § 103 as being unpatentable over Clapper, Jr. ('975) in combination with Koza ('324) and Heidel as applied to claims 1 and 10 above, respectively, and further in view of Wilson. Clapper in combination with Koza and Heidel discloses the features of the instant invention per se except "game of chance includes a horse race". Horse racing is a well known game of chance. Wilson discloses an interactive video horse-racing game. Koza as stated above discloses the combining of playing a video game with lottery. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine "game of

IN001413

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 7

chance includes a horse race" as disclosed by Wilson with Clapper's apparatus in combination Koza and Heidel in order to increase the excitement of playing a lottery game by providing the player with the "amusement and entertainment of a video game while at the same time playing the lottery thus having the opportunity to win a lottery prize" (Koza, column 2, lines 37-40).

9. Claims 9 and 17 are rejected under 35 U.S.C. § 103 as being unpatentable over Clapper in combination with Koza and Heidel as applied to claims 1 and 10 above, respectively, and further in view of Bergeron et al. Clapper in combination with Koza and Heidel discloses the features of the instant invention per se except "includes a processor within an on-line subscription service". Koza further discloses the video game amusement terminals (20) being remote from a central controller (24). Bergeron et al discloses a system which "includes a processor within an on-line subscription service" (Figs. 5-7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine "includes a processor within an on-line subscription service" as taught by Bergeron with Clapper's apparatus in combination with Koza and Heidel in order to increase the excitement of playing a lottery game by providing the player with the "amusement and entertainment of a video game while at the same time playing the lottery thus having the opportunity to win a lottery prize" (Koza, column 2, lines 37-40).

IN001414

Serial Number: 08/418,011  
Art Unit: 3304

Paper No. 4  
Page 8

and the on-line subscription service permitting the playing of lottery combined with video games in the luxury of ones home.

*Allowable Subject Matter*

10. Claim 7 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112 and to include all of the limitations of the base claim and any intervening claims.

*Conclusion*

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Raven discloses a gaming machine information, communication and display system. Snowden discloses a player operated win checker connected to an agent terminal. Scagnelli et al discloses a computerized lottery wagering system. Gumina discloses interactive games and method of playing. Eberhardt et al discloses a video lottery system with improved site controller and validation unit. Wells discloses a method and apparatus for random play of lottery games. Kapur discloses a card-activated point-of-sale lottery terminal. Walker discloses an interactive telephone lottery system with a verification code. Entenmann discloses use of telecommunications systems for lotteries. Muller discloses high security instant lottery using bar codes. Keane discloses optical card reader utilizing area image processing. Troy discloses a automatic lottery system. Koza ('998) discloses video gaming system with pool prize structures and encrypted information. Koza ('324) discloses illusion of

IN001415

Serial Number: 08/418,011  
Art Unit: 3304

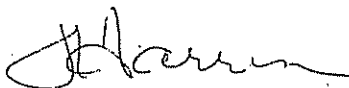
Paper No. 4  
Page 9

skill game machine for a gaming system. Pelligrini discloses an electronic access control system for coin-operated games and like selectively accessible devices. Rose discloses a horse race lottery game. Krause discloses universal mark sense betting terminal system and method.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. A. Sager whose telephone number is (703) 308-0785.

*MAS*

MAS  
January 4, 1996



JESSICA J. HARRISON  
PRIMARY EXAMINER  
GROUP 3303

IN001416



TO SEPARATE: HOLD TOP AND BOTTOM EDGES, SNAP-APART J CARBON

Page 1 of 2

FORM PTO-802 (REV. 2-02)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. <b>08/418,011</b>	GROUP/ART UNIT <b>3304</b>	ATTACHMENT TO PAPER NUMBER <b>4</b>
NOTICE OF REFERENCES CITED				APPLICANT(S) <b>Kaye</b>		

U.S. PATENT DOCUMENTS							
•	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE IF APPROPRIATE	
A	5429361	7/95	Raven et al	273	138A	9/91	
B	5417424	5/95	Snowden et al	364	412	9/93	
C	5415416	5/95	Seagnelli et al	273	138A	1/94	
D	5411258	5/95	Wilson et al	364	410		
E	5407199	4/95	Gumina	273	138A		
F	5398932	3/95	Eberhardt et al	273	138A		
G	5377975	1/95	Clapper, Jr.	273	138A		
H	5342047	8/94	Heidel et al	273	138A		
I	5330185	7/94	Wells	364	412		
J	5223698	6/93	Kapur	364	412		
K	5083272	1/92	Walker et al	364	412		

FOREIGN PATENT DOCUMENTS							
•	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB-CLASS	PERTINENT SHYS. DWG. PP. SPEC.
L							
M							
N							
O							
P							
Q							

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)	
R	
S	
T	
U	

EXAMINER <b>MA Sager</b>	DATE <b>1/4/96</b>	
-----------------------------	-----------------------	--

\* A copy of this reference is not being furnished with this office action.  
(See Manual of Patent Examining Procedure, section 707.05 (a).)

IN001417

TO SEPARATE: HOLD TOP AND BOTTOM EDGES, SNAP-APART AND DISCARD CARBON

Page 2 of 2

FORM PTO-892 (REV. 2-92)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		SERIAL NO. 08/418,011	GROUP PART UNIT 3304	ATTACHMENT TO PAPER NUMBER 4	
NOTICE OF REFERENCES CITED				APPLICANT(S) Kaye			
U.S. PATENT DOCUMENTS							
•	DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
A	4996705	2/91	Entenmann	364	412		
B	4832341	5/89	Muller et al	273	138A		
C	4764666	8/88	Bergeron	273	139		
D	4760247	7/88	Keane et al	364	412		
E	4689742	8/87	Troy et al	273	138A		
F	4652998	3/87	Koza et al	364	412		
G	4582324	4/86	Koza et al	273	138A		
H	4575622	3/86	Pellegrini	364	410		
I	4288077	9/81	Rose et al	273	138A		
J	4108361	8/78	Krause	364	412		
K							
FOREIGN PATENT DOCUMENTS							
•	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUB- CLASS	PERTINENT SHTS. - PP. DWG. - SPEC.
L							
M							
N							
O							
P							
Q							
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
R							
S							
T							
U							
EXAMINER MA Sager		DATE 1/4/96					
<p>* A copy of this reference is not being furnished with this office action. (See Manual of Patent Examining Procedure, section 707.05 (a).)</p>							

IN001418

08/418,011

Attachment 4

The drawings submitted with this application were declared informal by the applicant. Accordingly they have not been reviewed by a draftsperson at this time. When formal drawings are submitted, the draftsperson will perform a review.

Direct any inquires concerning drawing review to the Drawing Review Branch (703) 305-8404.

SUBSTITUTE PTO-948

IN001419

GP 334

334  
Harrison  
6-23



KAYE-23,258

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Perry Kaye  
Serial No.: 08/418,011  
Filed: 04/06/1995  
Group: 3304  
Examiner:  
For: PERSONAL COMPUTER  
LOTTERY GAME

*J. Kaye*  
10-25-95  
#3/Ltr. re  
Small entity

I hereby certify that this correspondence is being deposited with the  
United States Postal Service to Post this mail in an envelope addressed  
to Assistant Commissioner for Patents, Washington, DC 20231 on  
September 15, 1995  
(Date of Deposit)  
- MARTIN KORN  
- Place of Personal Mailing Document  
*Martin Korn*  
Signature  
September 15, 1995  
(Date of Signature)

Assistant Commissioner for  
Patents  
Washington, D.C. 20231

Dear Sir:

RECEIVED  
OCT 11 1995  
GROUP 8800

TRANSMITTAL OF VERIFIED STATEMENT

Transmitted herewith is a Verified Statement Claiming Small Entity  
Status - Independent Inventor, to reflect a change in ownership of the above-  
identified application from the prior assignee, Gizmo Enterprises, Inc., to the  
inventor, Perry Kaye.

Respectfully submitted,  
ROSS, CLAPP, KORN & MONTGOMERY, L.L.P.

*Martin Korn*  
Martin Korn

Registration No. 28,317

2

14651 Dallas Parkway, Suite 102  
Dallas, Texas 75240-7477  
214/661-0102  
214/661-0675 (Fax)

September 15, 1995

IN001421



KAYE-23,258

PATENT

**VERIFIED STATEMENT CLAIMING  
SMALL ENTITY STATUS -- INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "Personal Computer Lottery Game" described in application serial no. 08/418,011, filed April 6, 1995.

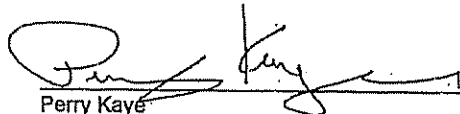
I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below.

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

  
Perry Kaye

September 5, 1995  
Date

IN001422

KAYE-23,258



THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

RECEIVED

JUN 13 1995

3304

In re application of: Perry Kaye  
Serial No.: 08/418,011  
Filed: April 6, 1995  
Group: 3304  
For: PERSONAL COMPUTER  
LOTTERY GAME

I hereby certify that this  
correspondence is being deposited  
with the United States Postal  
Service as first class mail in an  
envelope addressed to Assistant  
Commissioner for Patents, Washington,  
D.C. 20231 on May 22 1995  
(Date of Deposit).

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE  
STATEMENT

Martin Korn  
Name of Person Filing Document  
Signature  
May 22 1995  
Date of Signature

Pursuant to Applicant's duty to disclose all relevant  
material, the Applicant attaches hereto PTO Form 1449  
"Information Disclosure Citation" and copies of the references  
cited therein.

Respectfully submitted,

ROSS, CLAPP, KORN & MONTGOMERY, L.L.P.  
Attorneys for Applicant

Martin Korn  
Registration No. 28,317

MK/jbh

Enclosures

14651 Dallas Parkway, Suite 102  
Dallas, TX 75240-7477

214/661-0102  
214/661-0675 (Fax)

May 22, 1995

IN001423

Sheet 1 of 1

INFORMATION DISCLOSURE  CITATION		Attorney Docket No. KAYE-23,258		Serial Number 08/418,011		
		Applicant: Perry Kaye				
		Filing Date April 6, 1995		Group 3304		
U.S. PATENT DOCUMENTS						
Exmr Initl	Document No.	Date	Name	Class	SubClass	Filing Date
<i>WAS</i>	4,882,473	11/21/89	D.R. Bergeron et al.	235	380	
<i>WAS</i>	5,069,453	12/3/91	John R. Koza et al.	273	139	
<i>WAS</i>	5,112,050	5/12/92	John R. Koza et al.	273	139	
<i>WAS</i>	5,212,368	5/18/93	Hiroshi Hara	235	375	
<i>WAS</i>	5,282,620	2/1/94	Roger N. Keesee	273	138 A	
<i>WAS</i>	5,326,104	7/5/94	Logan L. Pease et al.	273	138 A	
<i>WAS</i>	5,327,485	7/5/94	Frank Leaden	379	95	
<i>WAS</i>	5,348,299	9/20/94	Ronald C. Clapper, Jr.	273	138 A	
<i>WAS</i>	5,531,141	7/19/94	Fukashi Kaneko	235	462	
<i>WAS</i>	5,365,575	11/15/94	Ronald A. Katz	379	92	
FOREIGN PATENT DOCUMENTS						
	Document No.	Date	Country	Class	SubClass	Transl.
OTHER DOCUMENTS						
Examiner <i>WAS</i>			Date Considered <i>1/4/96</i>			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line thru citation if not in conformance and not considered. Include copy of this form with next communication.						

IN001424



00/418011

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

040 ZR 04/18/95 08418011

1 101 376.00 CK KAYE-23,25B

PTO-1556  
(5/87)

IN001425

00/418011

APPLICATION FOR U.S. PATENT  
TRANSMITTAL FORM

Attorney Docket No. KAYE-23,258

THE COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Perry Kaye

For: "Personal Computer Lottery Game"

Enclosed are:

12 sheets of informal drawings.

Declaration and Power of Attorney

Statement Claiming Small Entity Status--Small Business Concern  
Assignment to Gizmo Enterprises, Inc.

FEE CALCULATION					FEE
	No.		No. Extra	Rate	Basic Fee \$365.00
Total Claims	21	-20=	1	X \$11	\$ 11.00
Independent Claims	3	- 3=	-	X \$38	\$ 00.00
Total Filing Fee					\$376.00
Assignment Recording Fee					\$ 40.00
TOTAL FEES					\$416.00

Enclosed is a check in the amount of \$416.00. Please charge any additional fees or credit any overpayment to Deposit Acct. No. 18-2026 of ROSS, CLAPP, KORN & MONTGOMERY, L.L.P. A duplicate copy of this sheet is enclosed.

Please return the Assignment following recordal to the undersigned attorney.

4/6/95  
Date

Martin Korn  
Attorney for Applicant  
Registration No. 28,317

IN001426